
TITLE 60 OVERSIGHT COMMITTEE ON PUBLIC RECORDS

Final Rule

LSA Document #12-581(F)

DIGEST

Adds [60 IAC 4](#) to regulate the commercial use of governmental records of the commission. Effective 30 days after filing with the Publisher.

[60 IAC 4](#)

SECTION 1. [60 IAC 4](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 4. COMMERCIAL USE OF GOVERNMENTAL RECORDS OF THE COMMISSION

Rule 1. Definitions; Application

[60 IAC 4-1-1](#) Definitions

Authority: [IC 5-14-3-3](#); [IC 5-15-5.1-20](#)

Affected: [IC 5-15-5.1-1](#); [IC 5-14-3-2](#)

Sec. 1. Unless the context clearly requires another meaning, the following definitions apply throughout this article:

(1) "Commission" has the meaning set forth in [IC 5-15-5.1-1](#).

(2) "Person" has the meaning set forth in [IC 5-14-3-2\(k\)](#).

(Oversight Committee on Public Records; [60 IAC 4-1-1](#); filed May 10, 2013, 6:51 a.m.:
[20130605-IR-060120581FRA](#))

[60 IAC 4-1-2](#) Application of article

Authority: [IC 5-14-3-3](#); [IC 5-15-5.1-20](#)

Affected: [IC 5-15-5.1](#); [IC 5-14-3-3](#)

Sec. 2. The provisions of this article do not apply to third parties operating under contract with the commission.

(Oversight Committee on Public Records; [60 IAC 4-1-2](#); filed May 10, 2013, 6:51 a.m.:
[20130605-IR-060120581FRA](#))

[60 IAC 4-1-3](#) Electronic data received by way of public records request; scope of use

Authority: [IC 5-14-3-3](#); [IC 5-15-5.1-20](#)

Affected: [IC 5-15-5.1](#); [IC 5-14-3-3](#)

Sec. 3. Any person receiving electronic data from the commission by way of a public records request, or from the beneficiary of a public records request, may not:

(1) employ the electronic data for commercial use or benefit; or

(2) transfer the data to another person for the commercial use or benefit of either party.

(Oversight Committee on Public Records; [60 IAC 4-1-3](#); filed May 10, 2013, 6:51 a.m.:
[20130605-IR-060120581FRA](#))

[60 IAC 4-1-4](#) Penalty for violation

Authority: [IC 5-14-3-3](#); [IC 5-15-5.1-20](#)

Affected: [IC 5-15-5.1](#); [IC 5-14-3-3](#)

Sec. 4. Any person acting in violation of this article may be prohibited by the commission from obtaining further data.

*(Oversight Committee on Public Records; [60 IAC 4-1-4](#); filed May 10, 2013, 6:51 a.m.:
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Notice of Intent: [20121031-IR-060120581NIA](#)

Proposed Rule: [20130116-IR-060120581PRA](#)

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Approved by Attorney General: April 9, 2013

Approved by Governor: Deemed approved by the Governor without signature under [IC 4-22-2-34](#) on May 10, 2013

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